

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-00780-KBJ

GABOR v. UNITED STATES OF AMERICA
Assigned to: Judge Ketanji Brown Jackson
Cause: 05:552 Freedom of Information Act

Date Filed: 04/27/2016
Jury Demand: None
Nature of Suit: 550 Prisoner Petition: Civil Rights (Other)
Jurisdiction: U.S. Government Defendant

Plaintiff**MICHAEL D. GABOR**

represented by **MICHAEL D. GABOR**
R56277-060
ELKTON
FEDERAL CORRECTIONAL
INSTITUTION
Inmate Mail/Parcels
P.O. BOX 10
LISBON, OH 44432
PRO SE

V.

Defendant**UNITED STATES OF AMERICA**

represented by **Claire M. Whitaker**
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Date Filed	#	Docket Text
04/27/2016	<u>1</u>	COMPLAINT against UNITED STATES OF AMERICA (Filing fee \$ 0.00) filed by MICHAEL D. GABOR. (Attachments: # <u>1</u> Civil Cover Sheet)(jf) (Entered: 05/02/2016)
04/27/2016	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by MICHAEL D. GABOR (jf) (Entered: 05/02/2016)
04/27/2016	<u>3</u>	PRISONER TRUST FUND ACCOUNT STATEMENT for period of six months by MICHAEL D. GABOR (jf) (Entered: 05/02/2016)
04/27/2016	<u>4</u>	ORDER directing an initial partial filing fee in the amount of \$59.33 from Prison Account of Michael D. Gabor and granting <u>2</u> MOTION for Leave to Proceed In Forma Pauperis (see order for full details). Signed by Judge Rudolph Contreras on 04/21/2016. (jf) (Entered: 05/02/2016)

04/27/2016		Initiating Pleading & IFP Application Received on 04/11/2016. (sb) (Entered: 05/12/2016)
05/18/2016	<u>5</u>	SUMMONS (2) Issued as to UNITED STATES OF AMERICA, U.S. Attorney and U.S. Attorney General. (md) (Entered: 05/19/2016)
05/19/2016	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/9/2016. Answer due for ALL FEDERAL DEFENDANTS by 6/8/2016. (jf) (Entered: 05/19/2016)
05/26/2016	<u>7</u>	NOTICE of Appearance by Claire M. Whitaker on behalf of UNITED STATES OF AMERICA (Whitaker, Claire) (Entered: 05/26/2016)
06/08/2016	<u>8</u>	ANSWER to <u>1</u> Complaint by UNITED STATES OF AMERICA.(Whitaker, Claire) (Entered: 06/08/2016)
09/26/2016	<u>9</u>	MOTION to Compel Discovery by MICHAEL D. GABOR (jf) (Entered: 09/28/2016)
10/11/2016	<u>10</u>	MOTION for Briefing Schedule <i>and period of processing of records in this FOIA case</i> by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Declaration (Declaration of David Hardy), # <u>2</u> Text of Proposed Order)(Whitaker, Claire) (Entered: 10/11/2016)
10/11/2016	<u>11</u>	RESPONSE re <u>9</u> MOTION to Compel <i>Discovery (See Docket Entry 10)</i> filed by UNITED STATES OF AMERICA. (Whitaker, Claire) (Entered: 10/11/2016)
10/27/2016	<u>12</u>	Memorandum in opposition to re <u>10</u> MOTION for Briefing Schedule <i>and period of processing of records in this FOIA case</i> filed by MICHAEL D. GABOR. (jf) (Entered: 10/31/2016)
11/04/2016	<u>13</u>	MOTION for Extension of Time to File Response/Reply to <i>ECF No. 12 (Plaintiff's Opposition to Proposed Schedule)</i> by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Text of Proposed Order)(Whitaker, Claire) (Entered: 11/04/2016)
11/14/2016	<u>14</u>	REPLY to opposition to motion re <u>10</u> MOTION for Briefing Schedule <i>and period of processing of records in this FOIA case</i> , <u>9</u> MOTION to Compel filed by UNITED STATES OF AMERICA. (Whitaker, Claire) (Entered: 11/14/2016)
02/08/2017	<u>15</u>	ORDER denying <u>9</u> Motion to Compel Discovery; granting <u>10</u> Motion for Briefing Schedule; granting nunc pro tunc <u>13</u> Motion for Extension of Time to File Reply. It is hereby ORDERED that Defendants motion for summary judgment is due on or before March 13, 2017; Plaintiffs consolidated opposition and cross-motion for summary judgment is due on or before April 13, 2017; Defendants consolidated reply and cross-motion opposition is due on or before May 15, 2017; and Plaintiffs cross-motion reply is due on or before June 8, 2017. Signed by Judge Ketanji Brown Jackson on 02/08/2017. (lckbj1,) (Entered: 02/08/2017)
03/07/2017	<u>16</u>	Mail Returned as undeliverable, sent to Michael Gabor; Type of Document Returned: #15 Order. Resent at new address: FCI Elkton, FCI, P.O. Box 10, Lisbon, OH 44432. (gdf) (Entered: 03/07/2017)
03/10/2017	<u>17</u>	MOTION for Extension of Time to <i>file Motion for Summary Judgment</i> by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Text of Proposed Order)(Whitaker, Claire) (Entered: 03/10/2017)
03/17/2017		MINUTE ORDER: Defendant's motion for an extension of time <u>17</u> is granted. Its Motion for Summary Judgment is due by March 22, 2017, Plaintiff's opposition and cross-motion for summary judgment is due by April 24, 2017; Defendant's reply and opposition to Plaintiff's cross-motion is due by May 24, 2017; Plaintiff's cross-motion reply is due by June 19, 2017. Signed by Judge Ketanji Brown Jackson on 3/17/17. (ms) (Entered: 03/17/2017)
03/17/2017		Set/Reset Deadlines: Cross Motions due by 4/24/2017. Response to Cross Motions due by 5/24/2017. Reply to Cross Motions due by 6/19/2017. Summary Judgment motions due by 3/22/2017. Response to Motion for Summary Judgment due by 4/24/2017. Reply to Motion for Summary Judgment due by 5/24/2017. (gdf) (Entered: 03/19/2017)

03/22/2017	<u>18</u>	MOTION for Summary Judgment by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Declaration (Declaration of David Hardy with exhibits), # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order)(Whitaker, Claire) (Entered: 03/22/2017)
04/14/2017	<u>19</u>	MOTION for Extension of Time by MICHAEL D. GABOR (jf) (Entered: 04/18/2017)
04/26/2017	<u>20</u>	MOTION for Extension of Time to by MICHAEL D. GABOR (Attachments: # <u>1</u> Text of Proposed Order)(zrdj) (Entered: 04/27/2017)
05/03/2017	<u>21</u>	ORDER granting Plaintiff's <u>19</u> <u>20</u> Motions for Extension of Time and setting revised motions schedule. Signed by Judge Ketanji Brown Jackson on 5/3/17. (ms) (Entered: 05/03/2017)
05/03/2017		Set/Reset Deadlines: Cross Motions due by 5/24/2017. Response to Cross Motions due by 6/26/2017. Reply to Cross Motions due by 7/10/2017. Response to Motion for Summary Judgment due by 5/24/2017. Reply to Motion for Summary Judgment due by 6/26/2017. (gdf) (Entered: 05/05/2017)
05/25/2017	<u>22</u>	Memorandum in opposition to re <u>18</u> MOTION for Summary Judgment filed by MICHAEL D. GABOR. (jf) (Entered: 05/26/2017)
05/25/2017	<u>23</u>	Cross MOTION for Summary Judgment by MICHAEL D. GABOR (jf) (Entered: 05/26/2017)
06/26/2017	<u>24</u>	Memorandum in opposition to re <u>23</u> Cross MOTION for Summary Judgment filed by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Declaration (Hardy Suppl. Decl and Ex. A), # <u>2</u> Text of Proposed Order)(Whitaker, Claire) (Entered: 06/26/2017)
06/26/2017	<u>25</u>	REPLY to opposition to motion re <u>18</u> MOTION for Summary Judgment filed by UNITED STATES OF AMERICA. (Whitaker, Claire) (Entered: 06/26/2017)
07/10/2017	<u>26</u>	MOTION for Extension of Time by MICHAEL D. GABOR (jf) (Entered: 07/12/2017)
07/13/2017		MINUTE ORDER: Plaintiff's <u>26</u> Motion for Extension of Time is granted, and his Reply is due by August 4, 2017. Signed by Judge Ketanji Brown Jackson on 7/13/17. (ms) (Entered: 07/13/2017)
07/14/2017		Set/Reset Deadlines: Reply to motion for extension of time due by 8/4/2017. (gdf) (Entered: 07/14/2017)
07/24/2017	<u>27</u>	REPLY to opposition to motion re <u>23</u> Cross MOTION for Summary Judgment filed by MICHAEL D. GABOR. (Attachments: # <u>1</u> Text of Proposed Order)(zrdj) (Entered: 07/28/2017)
03/31/2018	<u>28</u>	ORDER denying without prejudice <u>18</u> Motion for Summary Judgment and <u>23</u> Motion for Summary Judgment, and requiring Defendant to submit a proposed schedule for supplemental submissions on or before 4/16/2018. Signed by Judge Ketanji Brown Jackson on 03/31/2018. (lckbj1) (Entered: 03/31/2018)
04/16/2018	<u>29</u>	PROPOSED BRIEFING SCHEDULE re <u>28</u> Order on Motion for Summary Judgment,,,, Set/Reset Deadlines, by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Text of Proposed Order)(Whitaker, Claire) (Entered: 04/16/2018)
04/26/2018		MINUTE ORDER: It is hereby ORDERED that defendant shall file its renewed motion for summary judgment, supplemental declaration and Vaughn Index by June 20, 2018; plaintiff shall file his opposition and cross-motion for summary judgment by July 20, 2018; defendant shall file its reply and opposition by August 20, 2018; plaintiff shall file his reply by September 20, 2018. Signed by Judge Ketanji Brown Jackson on 4/25/18. (ms) (Entered: 04/26/2018)
04/30/2018		Set/Reset Deadlines: Cross Motions due by 7/20/2018. Response to Cross Motions due by 8/20/2018. Reply to Cross Motions due by 9/20/2018. Summary Judgment motions due by 6/20/2018. Response to Motion for Summary Judgment due by 7/20/2018. Reply to Motion for Summary Judgment due by 8/20/2018. Vaughn Index due by 6/20/2018, (gdf) (Entered: 04/30/2018)
06/15/2018	<u>30</u>	MOTION for Extension of Time to <i>File Renewed Motion For Summary Judgment</i> by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Text of Proposed Order)(Graham-Oliver, Heather) (Entered: 06/15/2018)

06/26/2018		MINUTE ORDER: For good cause shown, it is hereby ordered that defendant's <u>30</u> Motion for Extension of Time is granted. Defendant shall file its summary judgment motion by July 20, 2018; plaintiff shall file his opposition and cross-motion by August 20, 2018; defendant shall file its reply and opposition to plaintiff's cross-motion by September 20, 2018; plaintiff shall file his reply by October 20, 2018. Signed by Judge Ketanji Brown Jackson on 6/24/18. (ms) (Entered: 06/26/2018)
06/26/2018		Set/Reset Deadlines: Summary Judgment motion due by 7/20/2018. Response to Motion for Summary Judgment and Cross Motion due by 8/20/2018. Reply to Motion for Summary Judgment and Response to Cross Motion due by 9/20/2018. Reply to Cross Motion due by 10/20/2018. (gdf) (Entered: 06/26/2018)
07/17/2018	<u>31</u>	MOTION for Extension of Time to <i>(briefing schedule for two weeks)</i> by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Text of Proposed Order)(Whitaker, Claire) (Entered: 07/17/2018)
07/20/2018		MINUTE ORDER: It is hereby ORDERED that Defendant's Motion for an extension of time <u>31</u> is GRANTED. The time for filing Defendant's Renewed Motion for Summary Judgment is extended to August 3, 2018; Plaintiff's consolidated opposition and cross-motion for summary judgment is due by September 4, 2018, Defendant's consolidated reply and cross-motion opposition is due by September 21, 2018; and Plaintiff's cross-motion reply is due by October 12, 2018. Signed by Judge Ketanji Brown Jackson on 7/20/18. (ms) (Entered: 07/20/2018)
07/20/2018		Set/Reset Deadlines: Cross Motions due by 9/4/2018. Response to Cross Motions due by 9/21/2018. Reply to Cross Motions due by 10/12/2018. Summary Judgment motions due by 8/3/2018. Response to Motion for Summary Judgment due by 9/4/2018. Reply to Motion for Summary Judgment due by 9/21/2018. (gdf) (Entered: 07/20/2018)
08/03/2018	<u>32</u>	MOTION for Extension of Time to <i>File Renewed Motion for Summary Judgment and Declaration and Vaughn index under Seal</i> by UNITED STATES OF AMERICA (Graham-Oliver, Heather) (Entered: 08/03/2018)
08/06/2018	<u>33</u>	MOTION for Extension of Time to <i>File Renewed Motion for Summary Judgment</i> by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Text of Proposed Order)(Graham-Oliver, Heather) (Entered: 08/06/2018)
08/09/2018		MINUTE ORDER: It is hereby ORDERED that defendant's <u>32</u> <u>33</u> motions for extensions of time are GRANTED nunc pro tunc, and its renewed motion for summary judgment is due by August 21, 2018. Signed by Judge Ketanji Brown Jackson on 8/9/18. (ms) (Entered: 08/09/2018)
08/09/2018		Set/Reset Deadlines: Renewed Summary Judgment motion due by 8/21/2018. (gdf) (Entered: 08/09/2018)
08/21/2018	<u>34</u>	NOTICE (<i>Defendant's Notice of Submission in Camera</i>) by UNITED STATES OF AMERICA re <u>28</u> Order on Motion for Summary Judgment,,,, Set/Reset Deadlines, (Graham-Oliver, Heather) (Entered: 08/21/2018)
08/21/2018	<u>35</u>	MOTION for Summary Judgment (<i>Renewed</i>) by UNITED STATES OF AMERICA (Graham-Oliver, Heather) (Entered: 08/21/2018)
08/29/2018	<u>36</u>	Order advising plaintiff to respond by 10/1/2018 to <u>35</u> Defendant's Renewed Motion for Summary Judgment. Signed by Judge Ketanji Brown Jackson on 8/29/18. (ms) (Entered: 08/29/2018)
09/17/2018	<u>37</u>	MOTION for Extension of Time to File Response as to <u>35</u> MOTION for Summary Judgment (<i>Renewed</i>) by MICHAEL D. GABOR (jf) (Entered: 09/19/2018)
09/25/2018		MINUTE ORDER: Plaintiff's <u>37</u> Motion for Extension of Time is hereby GRANTED, and his opposition or other response to defendant's renewed motion for summary judgment <u>35</u> is due by 10/31/2018. Signed by Judge Ketanji Brown Jackson on 9/25/18. (ms) (Entered: 09/25/2018)
10/11/2018	<u>38</u>	CERTIFICATE OF SERVICE by UNITED STATES OF AMERICA re <u>35</u> MOTION for Summary Judgment (<i>Renewed</i>) (<i>Amended</i>). (Graham-Oliver, Heather) (Entered: 10/11/2018)

10/22/2018	<u>39</u>	Memorandum in opposition to re <u>35</u> MOTION for Summary Judgment (<i>Renewed</i>) filed by MICHAEL D. GABOR. (jf) (Entered: 10/24/2018)
10/22/2018	<u>40</u>	ENTERED IN ERROR.....Cross MOTION for Summary Judgment by MICHAEL D. GABOR (Attachments: # <u>1</u> Exhibit)(jf) Modified on 10/24/2018 (zjf). (Entered: 10/24/2018)
10/22/2018	41	Cross MOTION for Summary Judgment by MICHAEL D. GABOR. (See Docket Entry <u>39</u> to view document) (jf) (Entered: 10/24/2018)
10/24/2018		NOTICE OF CORRECTED DOCKET ENTRY: Document No. re <u>40</u> MOTION for Summary Judgment was entered in error and will be refiled in the correct case. (jf) (Entered: 10/24/2018)
11/01/2018	<u>42</u>	MOTION for Extension of Time to <i>Reply and Oppose Plaintiff's Cross Motion for Summary Judgment</i> by UNITED STATES OF AMERICA (Graham-Oliver, Heather) (Entered: 11/01/2018)
11/06/2018		MINUTE ORDER: Defendant's <u>42</u> Motion for Extension of Time is granted. Defendant shall file its reply and its opposition to plaintiff's cross-motion for summary judgment by November 28, 2018. Signed by Judge Ketanji Brown Jackson on 11/6/18. (ms) (Entered: 11/06/2018)
11/06/2018		Set/Reset Deadlines: Reply to Motion for Summary Judgment due by 11/28/2018. Response to Cross Motion due by 11/28/2018. (gdf) (Entered: 11/07/2018)
11/28/2018	<u>43</u>	MOTION for Extension of Time to File Response/Reply as to 41 MOTION for Summary Judgment, <u>35</u> MOTION for Summary Judgment (<i>Renewed</i>) by UNITED STATES OF AMERICA (Graham-Oliver, Heather) (Entered: 11/28/2018)